

See attach

(3)

2-26-01  
SC

UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

KENNETH ALAN SHIFFER, :  
Petitioner :  
v. : CIVIL NO. 1:CV-00-1829  
BEN VARNER, ET AL., : (Judge Caldwell)  
Respondents :  
:

**FILED**  
**HARRISBURG, PA**

FEB 23 2001

ORDER

MARY E. DIANDREA, CLERK  
Per 

AND NOW, this 23rd day of February, 2001, it is ordered  
that:

1. The Clerk of Court is directed to serve a copy of the petition and this order by certified mail on the Attorney General of the Commonwealth of Pennsylvania and the District Attorney of Columbia County.
2. Within 20 days of the date of this order, Respondents shall answer the allegations in the petition for writ of habeas corpus. Consistent with Rule 5 of the Rules Governing § 2254 Cases in the United States Courts, the answer shall:

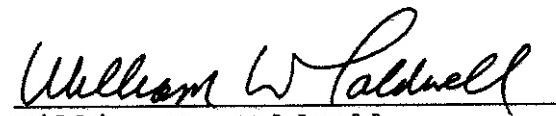
(a) state whether the Petitioner has exhausted state remedies available under state law with respect to each claim presented, including any postconviction remedies;

(b) be accompanied by those portions of any transcripts the Respondents deem relevant to disposing of the claims raised in the petition;

(c) indicate what other proceedings that might be relevant to the petition have been recorded but have not yet been transcribed;

(d) be accompanied by copies of any of the Petitioner's briefs on appeal, either from the judgment of conviction or from an adverse decision in a postconviction proceeding; copies of any opinions of the appellate courts in those proceedings; and any PCRA petitions.

3. Respondents shall file a memorandum of law with the answer. The memorandum shall set forth the relevant facts and procedural history of the case, a recommended disposition of the petition, and citations to pertinent case law.
4. Petitioner shall, if he so desires file a reply brief within 15 days of receipt of the Respondents' filings.
5. A determination whether the Petitioner should be produced for a hearing will be held in abeyance pending the filing of Respondents' answer and memorandum of law, and, if any, the Petitioner's reply.

  
William W. Caldwell  
William W. Caldwell  
United States District Judge

UNITED STATES DISTRICT  
FOR THE  
MIDDLE DISTRICT OF PENNSYLVANIA

\* \* MAILING CERTIFICATE

February 23,

Re: 1:00-cv-01829 Shiffer v. Varner

True and correct copies of the attached were sent to the following:

Kenneth Alan Shiffer  
SCI-D  
SCI at Dallas  
AT-1194  
Drawer K - Follies Rd.  
Dallas, PA 18612-0286

CC:  
Judge \_\_\_\_\_  
Magistrate Judge \_\_\_\_\_  
U.S. Marshal \_\_\_\_\_  
Probation \_\_\_\_\_  
U.S. Attorney \_\_\_\_\_  
Atty. for Deft. \_\_\_\_\_  
Defendant \_\_\_\_\_  
Warden \_\_\_\_\_  
Bureau of Prisons \_\_\_\_\_  
Ct Reporter \_\_\_\_\_  
Ctroom Deputy \_\_\_\_\_  
Orig-Security \_\_\_\_\_  
Federal Public Defender \_\_\_\_\_  
Summons Issued \_\_\_\_\_  
Standard Order 93-5 \_\_\_\_\_  
Order to Show Cause \_\_\_\_\_  
Bankruptcy Court \_\_\_\_\_  
Other \_\_\_\_\_

with N/C attached to complt. and served  
U.S. Marshal \_\_\_\_\_ Pltf's Attorney \_\_\_\_\_  
to: US Atty Gen \_\_\_\_\_ PA Atty Gen \_\_\_\_\_  
DA of County \_\_\_\_\_ Respondents \_\_\_\_\_

DATE:

*2/23/01*

**U.S. Postal Service  
CERTIFIED MAIL RECEIVED**  
*(Domestic Mail Only; No Insurance Coverage)*

Article Sent To:

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	

Name (Please Print Clearly) (to be completed by mailer)  
*PA Attorney General*  
 Street, Apt. No., or PO Box No.  
*1525 Ft. Lauderdale*  
 City, State, ZIP+4 *HBG PA 17101*

PS Form 3800, July 1999

**U.S. Postal Service  
CERTIFIED MAIL RECEIVED**  
*(Domestic Mail Only; No Insurance Coverage)*

Article Sent To:

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	

Name (Please Print Clearly) (to be completed by mailer)  
*Columbia County*  
 Street, Apt. No., or PO Box No.  
*10 Box 380*  
 City, State, ZIP+4 *Bloomsburg PA*

PS Form 3800, July 1999

MARY E. D'ANDREA

BY:

*JFJ*  
Deputy Clerk